

REMARKS

In the Office Action mailed February 8, 2007 from the United States Patent and Trademark Office, the Examiner objected to the abstract, rejected claims 1-4, 13-18, and 21-31 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2006/0008175 to Tanaka et al. (hereinafter "Tanaka") in view of U.S. Patent No. 7,154,538 to Fukasawa et al. (hereinafter "Fukasawa"), and rejected claims 5-12 under 35 U.S.C. § 103(a) as being unpatentable over Tanaka in view of Fukasawa and further in view of U.S. Patent No. 6,583,815 to Driscoll, Jr. et al. (hereinafter "Driscoll"). Finally, the Examiner rejected claims 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Tanaka in view of Fukasawa and further in view of U.S. Patent No. 6,690,411 to Naidoo et al. (hereinafter "Naidoo"). Applicant therefore respectfully provides the following:

Objection to the Specification:

The Examiner objected to the abstract as containing more than 150 words. Applicant has amended the abstract so that it contains fewer than 150 words and respectfully requests withdrawal of the objection.

Rejections under 35 U.S.C. § 103(a):

The standard for a Section 103 rejection is set forth in M.P.E.P § 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The

teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicant respectfully submits that there is no suggestion or motivation to combine the references in the manner suggested by the Examiner found in the prior art as is required for a rejection under Section 103.

Applicant respectfully submits that there must be some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify or combine what the reference teaches. The cited references fail to suggest the combination of the prior art references cited by the Examiner. "Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion supporting the combination." *In re John R. Fritch*, 972 F.2d 1260, 1266 (Fed. Cir. 1992). Any such suggestion must be "found in the prior art, and not based on applicant's disclosure." *In re Vaeck*, 947 F.2d 488, 493 (Fed. Cir. 1991). Indeed, "[t]he mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification." *In re Mills*, 916 F.2d 680, 682 (Fed. Cir. 1990). A "clear and particular" showing of the suggestion to combine is required to support an obviousness rejection under Section 103. M.P.E.P. § 2142.

Applicant respectfully submits that the Examiner has failed to make a "clear and particular" showing of the suggestion to combine references found in the prior art and respectfully submits that there is no such motivation. Additionally, Applicant respectfully submits that one of skill in the art would not be motivated to combine the cited references in the manner suggested by the Examiner, for the following reasons.

Regarding the proposed combination of Tanaka and Fukasawa, the Examiner indicated that one of skill in the art would be motivated to combine Tanaka and Fukasawa to “let the user know exactly what is being viewed. However, the Examiner failed to indicate clearly and particularly, as required by M.P.E.P. § 2142 how this supposed motivation was drawn from the references. Applicant also respectfully disagrees that one of skill in the art would be so motivated. The system of Tanaka is a complicated multiple-camera security control system that already teaches a mapping method to visually show in icon fashion what is being viewed. (Abstract) Specifically, when a camera is selected for viewing, the camera icon is highlighted on the map, and its direction and field of view are indicated by a viewing cone or “scope.” (See paragraphs [0075]-[0076], and Figures 8 and 9) As the map and viewed displays are shown simultaneously on the user’s screen (see paragraph [0073] and Figure 6, indicating the camera icon is dragged and dropped into the illustrated viewing screen), a user will always know exactly what is being viewed without any need for a separate description such as the description taught by Fukasawa.

In contrast, the system of Fukasawa is a web-based system that provides periodic images across the Internet to unspecified users. (Col 1 lines 11-15) The system of Fukasawa is therefore intended for a very different use: remote access by many unskilled users of stored images. (See Abstract, Col 4 lines 10-24) Therefore, Fukasawa is simply directed to a completely different field of art, and is merely a method to add a language-independent description to a web-page that will update to the user-selected language automatically. (Col 4 lines 6-24) The user of Fukasawa’s system has no camera control and is not viewing a security camera or live image, but is merely viewing a time-dated remote camera shot over the Internet. (Col 8 lines 20-36) Therefore, as the two systems of Fukasawa and Tanaka are strikingly

different and as the system of Fukasawa would provide no benefit to the system of Tanaka, Applicant respectfully submits that one of skill in the art would not be motivated to combine the references in the manner suggested. Applicant therefore respectfully requests removal of all rejections relying on a combination of Tanaka and Fukasawa.

Furthermore, regarding the proposed combination of Tanaka and Fukasawa with Driscoll, Applicant has amended the claims to require that the remote video input device is a video camera providing a real-time video service. As such, the claims cannot be read as including a computer system 1200 from Driscoll as being the remote video input device. Therefore, the proposed combination is improper. Additionally, the Examiner failed to provide a "clear and particular" motivation to combine the references taken from the references themselves, as is required by M.P.E.P. § 2142. The combination proposed by the Examiner would not provide controls of a real-time video service provided by a remote video camera, as Driscoll only teaches post-processing by the remote computer device, which is a completely different control mechanism than those claimed by Applicant. (See Col 10 lines 46-51, Col 11 lines 20-30, and Figure 13A) For these additional reasons, Applicant respectfully requests removal of all rejections relying on a combination of Tanaka and Fukasawa with Driscoll.

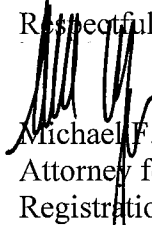
As all rejections under Section 103 rely on some combination of the above-discussed references, Applicant respectfully submits that the rejections are improper. Applicant therefore respectfully requests removal of all rejections made under Section 103.

CONCLUSION

Applicant(s) submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant(s) requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 24 day of April, 2007.

Respectfully submitted,


Michael F. Krieger
Attorney for Applicant
Registration No.: 35,232

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 321-4814
Facsimile: (801) 321-4893

GENERAL TRANSMITTAL LETTER (FOR BOTH SMALL AND LARGE ENTITIES)

Applicant(s): Sachin Govind Deshpande
Docket No.: 10237.29
Application No.: 10/738,475
Filing Date: December 17, 2003
Examiner: Anthony J. Daniels
Customer No.: 21,999
Group Art Unit: 2622
Confirmation No.: 8213

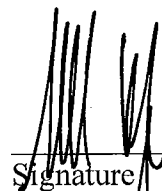
Invention: SYSTEMS AND METHODS FOR PROVIDING REMOTE CAMERA CONTROL

COMMISSIONER FOR PATENTS

√ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 500843

√ Any additional filing fees required under 37 C.F.R. 1.16.

√ Any patent application processing fees under 37 CFR 1.17.



Signature

Dated: April 24, 2007

Michael F. Krieger
Attorney for Applicant
Reg. No.: 35,232
KIRTON & McCONKIE
60 East South Temple, Suite 1800
Salt Lake City, UT 84111
Telephone: (801) 321-4814
Fax: (801) 321-4893